

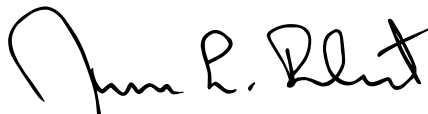
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES A. BATTLE, JR.,	)	CASE NO.: C05-1541-JLR
	)	
Petitioner,	)	
	)	
v.	)	ORDER DENYING PETITIONER'S
	)	HABEAS PETITION WITHOUT
KENNETH QUINN,	)	PREJUDICE
	)	
Respondent.	)	
	)	

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's habeas petition and this action are DISMISSED, without prejudice;  
and,
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 26th day of May, 2006.

  
\_\_\_\_\_  
JAMES L. ROBERT  
United States District Judge

ORDER DENYING PETITIONER'S HABEAS  
PETITION WITHOUT PREJUDICE